IN RE: PETITIONS FOR SPECIAL HEARING * AND ZONING VARIANCE - NE/S Monroe Street, 180.87' SE of * the c/l of Gibbons Boulevard (9711 Monroe Street)

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY 8th Election District Case No. 88-432-SPHA 4th Councilmanic District Joseph H. Seipp, Jr.

. AMENDED ORDER

WHEREAS, the Order in the above-captioned matter dated April 29, 1988 granted the Petitioner a variance to permit a freestanding, illuminated identification sign of 16 sq.ft. in lieu of the permitted 8 sq.ft., non-illuminated sign attached to the building;

WHEREAS, it was the intention of the Deputy Zoning Commissioner to permit a non-illuminated sign rather than an illuminated sign as stated in the record and accepted by Petitioner;

IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23 day of May, 1988 that the variance to permit a free-standing illumi-Phated identification sign of 16 sq.ft. in lieu of the permitted 8 sq.ft., nonilluminated sign attached to a building, which was granted in the Order dated April 29, 1988, is hereby striken, and a variance to permit a freestanding, nonlluminated identification sign of 16 sq.ft. be and is hereby GRANTED; and

IT IS FURTHER ORDERED that all other provisions and restrictions of the Order dated April 29, 1988 shall remain in full force and effect.

> - M Naskuowia ANN M. NASTAROWICZ Deputy Zoning Commissioner of Baltimore County

cc: Benjamin Bronstein, Esquire 29 W. Susquehanna Avenue, Suite 205, Towson, Md. 21204

Mr. Stephen Weber

9801 Van Buren Lane, Cockeysville, Md. 21030

People's Counsel; File

ing restrictions:

Petitioner's Exhibit 1, be permitted, and as such, the Petitions for Special Hearing and Zoning Variance are hereby GRANTED, subject, however, to the follow-

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The Petitioner shall comply with all CRG requirements.

3) The Petitioner shall landscape the property at a minimum in compliance with the Baltimore County Landscaping Manual and as set forth in Petitioner's Exhibit 2.

4) The Petitioner shall install and maintain a fence approved by the Office of Current Planning and the adjoining property owners between the side of its property and 9707 Monroe Street, as set forth in Petitioner's Exhibit 2. Planting shall be provided on the side of the fence facing the adjoining property.

5) The Petitioner shall pave and maintain the alley in accordance with that depicted on Petitioner's Exhibit 1.

> A MN cotenavier ANN M. NASTAROWICZ Deputy Zoning Commissioner of Baltimore County

IN RE: PETITIONS FOR SPECIAL HEARING . AND ZONING VARIANCE - NE/S Monroe Street, 180.87' SE of * the c/l of Gibbons Boulevard (9711 Monroe Street) 8th Election District

Joseph H. Seipp, Jr.

4th Councilmanic District

particularly described in Petitioner's Exhibit 1.

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 88-432-SPHA

. FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve the removal of Restriction No. 2 in Case No. 86-379-A to permit more than two parking spaces and to approve a parking and maneuvering area within an alley; and a variance to permit a freestanding, illuminated identification sign of 16 sq.ft. in lieu of the permitted 8 sq.ft., non-illuminated sign attached to a building, all as more

The Petitioner appeared, testified and was represented by Benjamin Bronstein, Esquire. Also appearing on behalf of the Petition was Gordon J. Langdon, a registered property line surveyor with Gerhold, Cross and Etzel. Stephen Weber appeared as a Protestant.

Testimony indicated that the subject property, zoned R.O., is located at 19711 Monroe Street. Testimony further indicated that as a result of the Comprepensive Rezoning which took place in 1984, all but 12 feet of the subject proerty on the northern side was zoned R.O. Subsequent to the Order dated Septemer 14, 1987 in a Writ of Mandamus filed by the Petitioner in the Circuit Court For Baltimore County, Case No. 86 CSP 3074, the 12 feet in question, zoned D.R. 5, was found to be in error and rezoned to R.O.

Testimony indicated that in a previous Petition for Zoning Variance, case No. 86-379-A, the subject property was granted side yard setbacks with retrictions. Specifically, Restriction No. 2 required that "No impervious surface, other than two parking spaces and a driveway, both along the northern pro-

PETITION FOR ZONING VARIANCE & SPECIAL TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2 to permit a parking maneuvering area within an Alley: Section 203.3C to permit a free standing. 16 square foot, illuminated sign in lieu of the allowed 8 square foot, non-illuminated bldg. -sign; and a special hearing to delete restriction No. 2 in Zoning Case No. 86-379-A to permit more than 2 spaces. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Configuration of property.

And such other and further reasons as set forth at the time &f.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance dvertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County,

> I/We do solemnly declare and affirm. under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

	Contract Purchaser:	Legal Owner(s):	
,	Type or Print Name) Signature	Joseph II. Seipp, Jr. (Type or Print Name)	
,	Address	(Type or Print Name)	
0	City and State	Signature	
Ø.	Afforney for Petitioner:		
13	WANS, GEORGE & BRONSTEIN	4100 N. Charles Street	235-8650
S	(Type or Print Name)	Address	none No.
1	Signatur 29 W. Susquehanna Avenue	Baltimore, MD 21218 City and State	
	te. 205, The Susquehanna Building Name, address and phone number tract purchaser or representative Gordon Langdon		owner, con- ontacted
	City and State	Curhuld, Cross & Etzel	
	Attorney's Telephone No.: (301) 296-0200		23-4470

ORDERED By The Zoning Commissioner of Baltimore County, this

of Jefficial 1958, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

out Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building In Towson, Baltimore

Hearing Date: Tuesday April 19, 1988 at 1 00 p.m. Variance and Special Hearing Si-permit a perking maneuvering area within an alley, to permit a free standing to up it, illuminated up in less of the allowed 8 sq. ft., nonilluminated building sign, and to delete restriction his. 2 in Zoning Case No. 86-374-A to permit more than 2 spaces in the event that this Petition is In the event that this Problem is granted, a busiding permit may be insued within the thirty (30) day appeal period. The Zuming Communicates will, however, entertain any request for a stay of the semance of said permit driving this period for good cause shown. Such request must be in writing and received in this other by the dair of the hearing set above or precented at the hear-

NUTICE OF HEARING

The Zoning Constitutioner of Bal-timore County, by authority of the Zoning Act and Regulations of Balti-mure County will hold a public hearing on the property identified herein in Room 10s of the County Othice Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Zoning Variance

and Special Hearing Case Number 88-432-SPHA

19711 Monroe Street) Bih Election Unitrict 4th Count, Jane Deire

GERHOLD, CROSS & ETZEL Registered Professional Land Surveyors 412 DELAWARE AVENUE TOWSON, MARYLAND 21204 823-4470

perty line, shall be installed." The Petitioner requests removal of Restriction

No. 2 imposed therein. The Petitioner submitted as Petitioner's Exhibits 3 and

3A letters of support from the adjoining property owners. Petitioner's Exhibit

#3A is a letter to Dr. Seipp from Allen May of 9707 Monroe Street. Dr. Seipp

indicated that it was Mr. May's daughter, a tenant there, and who along with her

father, were Protestants in the previous variance case. The letter indicates

that the Mays feel the best screening between the subject property and theirs is

"a board fence of adequate height to shield the headlights of an automobile."

Petitioner's Exhibit #3 is a letter from Ethel M. Schaefer, dated March 4, 1988.

Testimony indicated that Petitioner believes the eight parking spaces are neces-

sary for an office use of the property, as permitted in the zone. Due to the

characteristics of the subject property, the Petitioner indicated that a vari-

ance to Section 409.2 to permit a parking and maneuvering area within an alley

is necessary. Testimony indicated that the alley has not been used in the past.

The Petitioner intends to pave the alley to improve ingress to the subject pro-

perty. The alley will not be paved beyond the end of the house to prevent vehi-

tles from driving further down the alley. Dr. Seipp testified that the property

behind his is vacant and therefore, the use of the alley by his clients will not

The Petitioner testified that the variance for the sign is necessary due

the location of the building on the back portion of the lot and in light of

he landscaping requirements imposed by the Baltimore County Landscaping Manual

ind CRG for the front of the property. Petitioner contends that a sign in

strict conformance with the regulations will not be visible from the road. The

Petitioner argued that the sign proposed is within the spirit and intent of the

blocks from the subject property. Mr. Weber indicated that he did not believe

Mr. Weber testified that he lives in Timonium Heights approximately 2

Interfere with any other property owners' ingress and egress.

5 8 regulations as it is only 8 sq.ft. per side and will not be illuminated.

PHILIP E. GROSS

JOHN F. ETREL

WILLIAM & ULAIGH

SORDON T. LANGOOM

PAYIS E. GANGONE

. D. FB

PRIVA CASE

PAUL & BOLLENDERS PRES M. SOLLENSERS CARL L BERHOLD

December 15, 1987 Zoning Description

All that piece or parcel of land situate, lying and being in the Eighth Election District of Paltimore County State of Maryland and described as follows to wit:

Beginning for the same on the east side of Monroe Street, 40 feet wide, and in the centerline of an Alley 12 feet wide at a distance of 160.67 feet measured southerly along the east side of Monroe Street from the centerline of Gibbons Boulevard, 40 feet wide, and running thence and leaving said Monroe Street and binding in the centerline of said 12 foot Alley and running parallel to Gibbons Boulevard, South 77 degrees 51 minutes East 181.61 feet, thence leaving said Alley and running the two following courses and distances viz: South 12 degrees 09 minutes west to feet and North 77 degrees 51 minutes West 160.45 feet to the aforesaid east side of Monroe Street and thence binding on the east side of said Street, North 12 degrees 31 minutes West 50.62 feet to the place of beginning.

Containing 7867 Square Feet, of land.

Being Lots Nos. 7 and 8 Block DD as laid out on Plat No. 2 Timonium Heights which plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 7 folio 15 and being known as No. 9711 Monroe Street.



"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD. 1.11.1.1.22.31.19.11 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on 11/2/2/1 3/ 1988

THE JEFFERSONIAN,

Gusan Sendus Obrest

41.25

the sign variance being requested was necessary and that a mailbox similar to those in place at some of the other residences along Monroe Street would provide sufficient identification to Petitioner's visitors. He indicated that he felt it was important that the spirit and intent of the R.O. zone to provide a buffar between the 0.1 zone and D.R. 3.5 zone be enforced.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). It is clear from the testimony that if the relief requested in the special hearing and variance were granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the relief requested was not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the lard due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this W9Th day of April, 1988 that the removal of Restriction No. 2 in Case No. 86-379-A to permit more than two parking spaces and to approve a parking and maneuvering area within an alley, be approved, and a variance to permit a freestanding, illuminated identification sign of 16 sq.ft. in lieu of the permitted 8 sq.ft., non-illuminated sign attached to a building, in accordance with

-3-

ZONING DEPARTMENT OF BALTIMORE COUNTY

Toursen, Maryland		
District 974 Varione + 5/	Date of Posting 4/2/88	
Petitioner: Joseph J. M. J. Mo. Location of property: NFJS Mo.	122, 28 17 yve 57, 160,61' SE/Gbbos Blo	
Location of Signe: Facing Mu on property of P. h.t.	ngo-st opport 3' fr. road way	
	Date of return 4/5/57	

NUTICE OF HEALING

The Zenning Commissionaler of Bal-timore County, he authority of the Zening Art and Begulations of Belli-more County will hold a public hearing on the property identified herein in House 10h of the County Otter Building, bequest at \$11 M.

Petitions for Zuning Varience

and Special Hearing Core number: 89-52-574A NES Sounce Street, 160-67 SE

Hearing Liste Recoder Aprel 16, 1488 at 140 p.m.

Variance and Special Hearing To

beams a berrief menowant and

within an alley, to permit a feet standing, to my R., shamanated sign on less of the allowed 5 og R., man-

alternated building age, and to delete restriction No. 2 in Every Care No. 10-279-A to present must

In the event that this Promise is

presented, a building permet more be mound within the thirty (b) day ap-

peal persol. The Loung Commu-menter well, however, entertum any request he a stay of the measure of

seed permet during that perteal he guid course aboven. Such requires

spent for its relative that personnel or the present

the states of facultation of the states of t

Mar I specific

Maryland as Address.

c4 (Jibbuss Blvd. (971) Moment Street)
th Flection (Instruct —
th Councilmann: (Instruct

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD., MUCH 30, 19.88 THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of ______ successive weeks, the first publication appearing on MULICA 30, 1988

TOWSO.1 TIMES. Publisher

\$58.00

ESTIMATED LENGTH OF HEARING -1/2HR -1HR. AVAILABLE FOR HEARING

MON./IUES./WED. - NEXT TWO MONTHS OTHER

REVIEWED BY: UCY

Zoning Commissioner of Baltimore County.

I ROBERT HAINES

Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines
Zoning Commissioner

Rz. Joseph H. Seipp, Jr. 4100 N. Charles Street Beltimore, Maryland 21218

RE: Petitions for Ioning Varience and Special Hearing Case number: 88-432-SPHA NE/S Monroe Street, 180.87° SE c/1 Gibbons Blvd. (9711 Monroe Street) Sth Election District - 4th Councilmanic Distict Petitioner(s): Joseph H. Smipp, Jr. HEARING SCHEDULED: TUESDAY, APRIL 19, 1986 et 1:00 p.m.

Dear Ar. Seippt

Please be advised that 114.25 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

and post set(s), there BALTIMORE COUNTY, MARYLAND for each set not OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 494-3554

February 18, 1988

Dennis F. Rasmussen

Mr. J. Robert Haines Zoning Commissioner County Office Building

Towson, Maryland 21204 Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 258, 260, (261) 262, 263, 265, 266 and 268.

Michael S. Flanigan Traffic Engineer Associate II

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this day of February , 1988.

VZONING COMMISSIONER Received by: James E. Dyer
Chairman, Zoning Plans Petitioner Joseph H. Seipp, Jr. Petitioner's Advisory Committee

Attorney Evans, George & Bronstein

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER PETITION FOR VARIANCE

8th District

Gibbon Blvd. (9711 Monroe St.),

NE/S Monroe St., 160.67' SE C/L:

OF BALTIMORE COUNTY

JOSEPH H. SEIPP, JR., Petitioner: Case No. 88-432-SPHA

:::::::

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllis Cole Friedman People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Room 223, Court House Towson, Maryland 21204 494-2188

January 28, 1988

I HEREBY CERTIFY that on this 29th day of March, 1988, a copy of the foregoing Entry of Appearance was mailed to Evans, George & Bronstein, 29 W. Susquehanna Ave., Suite 205, Towson, MD 21204, Attorneys for Petitioner; and Mr. Gordon Langdon, Gerhold, Cross & Etzel, 412 Delaware Ave., Towson, MD 21204, who requested notification.

U. James

Zoning Agenda: Meeting of 2/2/88

Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haine

MAR. 0 3 1988

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Zoning Verience and Special Hearing Cose number: \$8-432-89#4 ME/S Monroe Street, 150.87° SE a/1 Sibbens Flud. (\$711 Monroe Street) 8th Election District - 4th Councilmenic Distint Potitioner(s): Joseph H. Seipp, Jr. MEASING SCHEDULED: TUESDAY, APRIL 18, 1948 at 1:00 p.m.

Verience and Special Meerings To permit a parking manouvering eros within en alleys to permit a free standing, 18 eq. ft., illuminated sign in liew of the ellowed B sq. ft., non-illuminated building eign; and to delete restriction No. 2 in loning Case No. 86-379-4 to perelt were then

In the event that this Bested ig permit may be issued within ioner will, however, entertain No. 47470 BALTIMORE COUNTY, MARYLAND during this period for good OFFICE OF FINANCE - REVENUE DIVISION ived in this office by the date MISCELLANEOUS CASH RECEIPT 01-615-000 B 083****2000Cia 6201F VALIDATION OR SIGNATURE OF CASHIER

The second secon

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE April 13, 1988

COUNTY OFFICE BLDG. 111 W. Chesapeate Ave. Towson, Maryland 21204

" HEMBERS

industrial

Evans, George & Bronstein 29 W. Susquehanna Avenue, Suite 205 Towson, Maryland 21204

> Item No. 261 - Case No. 88-432-SPHA Petitioner: Joseph H. Seipp, Jr. Petition for Zoning Variance & Special Hearing

Bureau of Department of

State Boads Commission Sureau of Fire Prevention Realth Department Project Planning Building Department Board of Education Zoning Administration

Dear Sirs:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James & Dyerlow JAMES E. DYER Chairman Zoning Plans Advisory Committee

Enclosures

IN RE: PETITIONS FOR SPECIAL HEARING AND ZORING VARIANCE - NE/S (9711 Honroe Street) 8th Election District 4th Councilmanic District

Honroe Street, 180.87' SE of the c/1 of Gibbons Boulevard

Joseph H. Seipp, Jr. Petitioner

DEPUTY ZONING COPPLESSIONER OF BALTIMORE COUNTY

BEFORE THE

WHEREAS, the Order in the above-captioned matter dated April 29, 1988 granted the Petitioner a variance to permit a freestanding, illuminated identification sign of 16 sq.ft. in lieu of the permitted 8 sq.ft., non-illuminated sign attached to the building:

WHEREAS, it was the intention of the Deputy Zoning Commissioner to permit a non-illuminated sign rather than an illuminated sign as stated in the record and accepted by Petitioner;

IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 33 day of May, 1988 that the variance to permit a free-standing illuminated identification sign of 16 sq.ft. in lieu of the permitted 8 sq.ft., ronilluminated sign attached to a building, which was granted in the Order dated April 29, 1988, is hereby striken, and a variance to permit a freestanding, nonilluminated identification sign of 16 eq.ft. be and is hereby GRANTED; and

IT IS FURTHER ORDERED that all other provisions and restrictions of the Order dated April 29, 1988 shall remain in full force and effect.

> Chair N Non taying or ANN H. MASIL PRICE Deputy Coming Commissioner

of Baltimore County

cc: Benjamin Bronstein, Esquire 29 M. Susquehanna Avenue, Suite 205, Towson, Md. 21204

Hr. Stephen Weber 9801 Van Buren Lane, Cockeysville, Md. 21030

People's Counsel: File

April 29, 1988

Benjamin Bronstein, Esquire Evans, George & Bronstein 29 W. Susquehanna Avenue, Suite 205 Towson, Haryland 21204

RE: Petitions for Special Hearing and Zoning Variance NE/S Monroe Street, 180.87' SE of the c/l of Gibbons Boulevard (9711 Honroe Street) 8th Election District, 4th Councilmanic District Case No. 88-432-SPHA

Dear Mr. Seipps

Enclosed please find the decision rendered on the above-referenced case. The Petitions for Special Hearing and Zoning Variance have been Granted aubject to the restrictions noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

ANN M. NASTAROWICZ Deputy Zoning Commissioner of Baltimore County

ald:MMA Enclosures

9801 Van Buren Lane, Cockeysville, Nd. 21030

File

/jl

Baltimore County

Towson, Maryland 21204-2586

Office of Planning and Zoning

Baltimore County Office Building

Re: Property Owner: Joseph H. Seipp, Jr.

of Public Works.

prior to occupancy.

() 6. Site plans are approved, as drawn.

Special Inspection Division

() 3. The vehicle dead end condition shown at

Location: NE/S Monroe St., 160.67' SE of c/l Gibbons Blvd.

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required

() 1. Fire hydrants for the referenced property are required and shall be

located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department

Fire Prevention Code prior to occupancy or beginning of operation.

comply with all applicable requirements of the National Fire Pro-

tection Association Standard No. 101 "Life Safety Code," 1976 edition

to be corrected or incorporated into the final plans for the property.

() 2. A second means of vehicle access is required for the site.

() 7. The Fire Prevention Bureau has no comment this time

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the

(x) 5. The buildings and structures existing or proposed on the site shall

Fire Department

Paul H. Reincke

J. Robert Haines

Towson, MD 21204

Item No.: 261

Zoning Commissioner

494-4500

Dennis F. Rasmussen

9801 Van Buren Lane Cockeysville, Maryland 21030 May 20, 1988

Ms. Ann M. Nastarowicz Deputy Zoning Commissioner Office of Planning & Zoning 111 W. Chesapeake Avenue Towson, Maryland 21204

RE: Case # 88-432-SPHA (9711 Monroe Street)

Dear Ms. Nastarowicz:

I appreciated your call today notifying me of the error in allowing a variance for an illuminated sign in this case and was glad to hear that you will be issuing an ammended order to not allow an illuminated sign.

My apologies for not bringing this discrepancy up at the hearing, but I did not notice it that clearly until it was spelled out in your April 29, 1988 decision. While I feel that the variance to allow a free-standing sign will cause our neighborhood to appear more commercial in nature, rather than having the sign attached to the building, the residents of Timonium Heights and I thank you for ammending the order to at least not allow it and I thank you for ammending the order to at least not allow it to be illuminated. The neighborhood is extremely concerned at this time regarding further commercial intrusion due to rezoning requests on five parcels of ground within two blocks of this site, one of them being adjacent to this site.

Again, thank you for the attention you have given to this

cc: Mr. J. Robert Haines, Zoning Commissioner The Hon. Barbara F. Bachur, Councilwoman, 4th District Mr. P. David Fields, Director, Office of Planning & Zoning

9801 Van Buren Lane Cockeysville, Maryland 21030 May 13, 1988

Ms. Ann M. Nastarowicz Deputy Zoning Commissioner Office of Planning & Zoning 111 W. Chesapeake Avenue Towson, Maryland 21204

RE: Case # 88-432-SPHA (9711 Monroe Street)

Dear Ms. Nastarowicz:

I found your April 29, 1988 decision in the above case to be very distressing. While the relief from the 8 sq. ft. sign to grant I6 sq. ft. you may feel is not contrary to the spirit of the B.C.Z.R., the fact that you grant the petitioner's request for an illuminated sign when the petitioner states it will not be illuminated baffles me. I find no rationale whereby the County should be granting any more variances than is absolutely necessary, and when the Zoning Commissioner's office starts granting variances for items the petitioner even testifies they don't plan to use is beyond my comprehension. Such action indicates that the County is doing all it can to bend over backwards and hand people exceptions to laws which the County Council and the Planning Office takes great strides to implement and protect the County residents and neighborhoods. Permitting the introduction of illuminated roadway signs in an RO zone adjacent to existing residential homes in the DR 3.5 zone with little lighting I do not find to be compatible. If such was the intent of the County Council, then they would have allowed illuminated signs in RO zones by right. Then the fact that the petitioner testifies that the sign will not be illuminated, and the fact that you grant a variance to permit an illuminated sign seems to further indicate that you are going out of your way to allow exceptions to laws implemented by the 16 sq. ft. you may feel is not contrary to the spirit of the B.C.Z.R., are going out of your way to allow exceptions to laws implemented by the County Council. I feel the only hope of the residents of this County is that such magnanimous actions of the Zoning Commissioners' Office are far and few between, otherwise the efforts put forth to even have zoning regulations are likely to be for naught.

I would ask that you provide me with an answer to one question. Since you granted the variance for an illuminated sign, does the community or an individual have any recourse should lights be erected for the sign since the "Petitioner argued that the sign proposed is within the spirit and intent of the regulations as it is only 8 sq. ft. per side and will not be illuminated."? Or does your order now allow the petitioner to do something which he testified he would not do? While I realize you don't have to explain your reasoning, I would appreciate knowing why you granted a variance the petitioner stated he did not plan to use. Thank you for any information you can provide on this matter.

cc: LMr. J. Robert Haines, Zoning Commissioner Ms. Phyllis Friedmann, People's Counsel The Hon. Barbara F. Bachur, Councilwoman, 4th District Mr. P. David Fields, Director, Office of Planning & Zoning

JOSEPH H. SEIPP, JR.

Baltimore, MD 21218

4100 North Charles Street

* IN THE

EVANS, GEORGE &

BRONSTEIN

Dr Joseph H. Seipp 4100 N. Charles St. Baltimore, MD 21218

Dear Dr. Seipp,

My husband and I feel that the best screening is a board fence of adequate height to schield the head lights of an automobile.

Dr. Joseph H. Seinn 4100 N. Charles St. Baltimore, MD 21218

Dear Dr. Seirr,

This statement is to give you permission to, at your expense to pave my half of the alley between our property from Monroe St. to just beyond your house at 9711 Ponroe St. Additionally it will not be necessary to plant trees on my side.

> Sincerely, Prs. Schaefer

·) noul 7, 1955

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines TO Zoning Commissioner

P. David Fields

April 1, 1988

FROM Director of Planning and Zoning

SUBJECT Zoning Petition No. 88-432-SpHA

This office is not opposed to the granting of the requested sign variance; however, the request to utilize the alley as part of the off-street parking area should be denied. This alley right-of-way was platted as part of a residential subdivision and was not intended for non-residential vehicular use. Further, off-street parking by its very definition should be provided off-street, and this includes both the parking spaces and the maneuvering area.

PDF:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel



ZONING OFFICE

Plaintiff * CIRCUIT COURT BALTIMORE COUNTY, MD County Office Building Towson, Maryland 21204 * FOR SERVE ON: The Honorable Arnold Jablon County Attorney Office of Law County Office Building Towson, Maryland 21204 * BALTIMORE COUNTY NORMAN E. GERBER, Director 17C5P 3133 Office of Planning & Zoning County Courts Building 35/25/ 4th Floor Towson, Maryland 21204 THE HONORABLE ROBERT HAYNES Zoning Commissioner County Office Building Towson, Maryland 21204 Defendants ***************** WRIT OF MANDAMUS BY CONSENT

TO THE HONORABLE ROBERT HAYNES, ESQUIRE, BALTIMORE COUNTY ZONING COMMISSIONER AND CUSTODIAN OF THE BALTIMORE COUNTY ZONING MAPS, GREETINGS:

WHEREAS, Counsel for the Plaintiff and Defendants have agreed and stipulated that the appropriate zoning map should be adjusted to reflect that the zoning classification for the entire parcel known as 9711 Monroe Street, Baltimore, Maryland, more fully described as the fifth parcel in a deed from Edward L. Blanton, Jr. to Joseph H. Seipp, Jr. and recorded among the Land Records of Baltimore County in Liber 6325, Folio 183 (hereinafter "subject property") should be an RO classification in order to carry out the Baltimore County Council's

intent as to the rezoning of the subject property and that a Writ of Mandamus be directed to the Honorable Robert Haynes, Esquire, in his capacity as Baltimore County Zoning Commissioner (the duties of which include, among other duties, the care, custody, control, and exhibition of the official Baltimore County Zoning Maps) and that this Court should issue the relief hereinafter set forth, accordingly this Writ of Mandamus by Consent is issued this _____ day of

Legil., 1987, and YOU ARE HEREBY COMMANDED upon receipt of this Writ to forthwith correct and properly locate the zoning for the subject property on the 1984 Zoning Map. Sheet $\frac{Nw^{-15}}{M}$ More specifically, all official zoning maps, including, but not limited to 1000-scale and 200-scale maps and zoning records of Baltimore County in the care, custody and control of the Zoning Commissioner and the Office of Planning and Zoning are to be forthwith brought to conformity wit the disgnations heretofore mentioned in the Complaint for Writ of Mandamus, namely, that the RO zoning classification for 12 feet of the subject property shall continue so as to include all of the subject property, including the 12 northernmost feet of this property be zoned as RO by eliminating that strip of land presently shown as DR 3.5 on said zoning map and changing the same to an RO zone.

ISSUED this 14 day of Jers, 1987. WITNESS the hand and seal of the Judge of the Third Judicial Circuit of

APPROVED AS TO FORM: Stanley & Schapiro Assistant County Actorney

tformer for Plaintiff

Por Assistant Clark

LAW OFFICES EVANS, GEORGE AND BRONSTEIN! SUSQUENANNA BUILDING BUITE 205 29 WEST SUSQUEHANNA AVENUE TOWSON MARTLAND 21204 (30)) \$96.0300

L ROBERT EVANS HARRIS JAMES GEONGE MENJAMIN BRONSTEIN MICHAEL J CHOMEL DOUGLAS A STUBBS WILLIAM # LEVASSEUM JR

February 3, 1988

Mr. James E. Dyer, Zoning Supervisor Zoning Office County Office Building Towson, Maryland 21204

RE: Item No. 261--Petition for Variance and Special Hearing Seipp Property

Dear Mr. Dyer:

I am hereby requesting an expedited hearing or the above entitled matter. This property was the hearing on a previous zoning case (86-379-A) and thus reviewed by County agencies. Thank you for your kind consideration.

very truly yours, EVANS . GEORGE & BRONSTEIN

Begjamin Bronstein

BB/bjs

cc: Dr. Joseph Seipp Mr. Gordon T. Langdon





